

AO 441 (Rev. 8/01) Third Party Summons in a Civil Action

UNITED STATES DISTRICT COURT

MIDDLE

District of

ALABAMA

PLAINTIFF

Patricia Burkett, Etc.

V. DEFENDANT AND THIRD PARTY PLAINTIFF

Timothy Eugene McCray, et al.

THIRD PARTY SUMMONS IN A
CIVIL ACTION

Case Number: 1:06-cv-00775-DRB

V. THIRD PARTY DEFENDANT

Southern General Insurance, et al.

To: Name and address of Third Party Defendant

Southern General Insurance Company
c/o Jill Jinks
1904 Leland Drive
Marietta, GA 30067

YOU ARE HEREBY SUMMONED and required to serve on

PLAINTIFF'S ATTORNEY (name and address)

David Jerome Harrison
PO Box 994
Geneva, AL 36340

Tommy Ray Scarborough
Tommy R. Scarborough, LLC
119 S Foster Street
Suite 101
Dothan, AL 36301

DEFENDANT AND THIRD-PARTY PLAINTIFF'S ATTORNEY
(name and address)

David Woodham Rousseau
Law Office of David W Rousseau
211 W Adams Street
Dothan, AL 36303-4401

William Anderson Mudd
Miller, Hamilton, Snider & Odom, LLC
1200 Financial Center
505 20th Street N.
Birmingham, AL 35203

an answer to the third-party complaint which is served on you with this summons, within Twenty (20) days after the service of this summons on you, exclusive of the day of service. If you fail to do so, judgment by default may be taken against you for the relief demanded in the third-party complaint. There is also served on you with this summons a copy of the complaint of the plaintiff. You have the option of answering or not answering the plaintiff's complaint, *unless* (1) this is a case within Rule 9(h) Federal Rules of Civil Procedure, *and* (2) the third-party plaintiff is demanding judgment against you in favor of the original plaintiff under the circumstances described in Rule 14(c) Federal Rules of Civil Procedure, in which situation you are required to make your defenses, if any, to the claim of plaintiff as well as to the claim of the third-party plaintiff. Any answer that you serve on the parties to this action must be filed with the Clerk of this Court within a reasonable period of time after service.

DEBRA P. HACKETT, CLERK

CLERK

(By) DEPUTY CLERK

9/28/2006

DATE

AO 441 (Rev. 8/01) Third Party Summons in a Civil Action

RETURN OF SERVICE		
Service of the Summons and complaint was made by me ⁽¹⁾	DATE	
NAME OF SERVER	TITLE	
<i>Check one box below to indicate appropriate method of service</i>		
<div style="margin-bottom: 10px;"> <input type="checkbox"/> Served personally upon the third-party defendant. Place where served: </div> <div style="margin-bottom: 10px;"> <input type="checkbox"/> Left copies thereof at the third-party defendant's dwelling house or usual place of abode with a person of suitable age and discretion then residing therein. Name of person with whom the summons and complaint were left: </div> <div style="margin-bottom: 10px;"> <input type="checkbox"/> Returned unexecuted: </div> <div> <input type="checkbox"/> Other (specify): </div>		
STATEMENT OF SERVICE FEES		
TRAVEL	SERVICES	TOTAL \$0.00
DECLARATION OF SERVER		
<p style="text-align: center;">I declare under penalty of perjury under the laws of the United States of America that the foregoing information contained in the Return of Service and Statement of Service Fees is true and correct.</p> <div style="display: flex; justify-content: space-between;"> <div style="width: 30%;"> Executed on _____ Date </div> <div style="width: 60%;"> _____ <i>Signature of Server</i> </div> </div> <div style="text-align: center;"> _____ <i>Address of Server</i> </div>		

(1) As to who may serve a summons see Rule 4 of the Federal Rules of Civil Procedure.

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THIRD PARTY SUMMONS IN A
CIVIL ACTION

Case Number: 1:06-cv-00775-DRB

V. THIRD PARTY DEFENDANT

Southern General Insurance, et al.

To: Name and address of Third Party Defendant

The Central Mutual Insurance Company
c/o S. K. Moore
11605 Haynes Bridge Road, Suite 500
Alpharetta, GA 30004

YOU ARE HEREBY SUMMONED and required to serve on

PLAINTIFF'S ATTORNEY (name and address)

David Jerome Harrison
PO Box 994
Geneva, AL 36340

Tommy Ray Scarborough
Tommy R. Scarborough, LLC
119 S Foster Street
Suite 101
Dothan, AL 36301

DEFENDANT AND THIRD-PARTY PLAINTIFF'S ATTORNEY
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Law Office of David W Rousseau
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1200 Financial Center
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Birmingham, AL 35203

an answer to the third-party complaint which is served on you with this summons, within Twenty (20) days after the service of this summons on you, exclusive of the day of service. If you fail to do so, judgment by default may be taken against you for the relief demanded in the third-party complaint. There is also served on you with this summons a copy of the complaint of the plaintiff. You have the option of answering or not answering the plaintiff's complaint, *unless* (1) this is a case within Rule 9(h) Federal Rules of Civil Procedure, *and* (2) the third-party plaintiff is demanding judgment against you in favor of the original plaintiff under the circumstances described in Rule 14(c) Federal Rules of Civil Procedure, in which situation you are required to make your defenses, if any, to the claim of plaintiff as well as to the claim of the third-party plaintiff. Any answer that you serve on the parties to this action must be filed with the Clerk of this Court within a reasonable period of time after service.

DEBRA P. HACKETT, CLERK

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